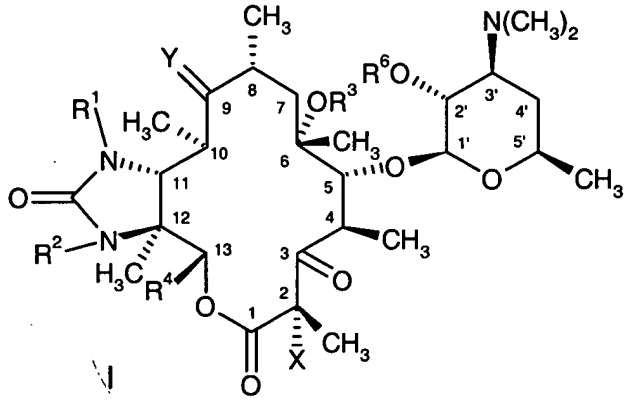
Please replace Claims 1, 2, and 7-8 with the following corresponding amended claims.

1(once amended). A compound of the formula



or a pharmaceutically acceptable salt, prodrug, or solvate thereof, wherein:

X is Cl, Br, I, or F;

Y is =O, or =NOR^5; or Y means both -H and -OR^5; or both -H and -NR^{5}R^{10};

R^1, R^2, and R^3 are independently selected from the group consisting of H, C_1-C_{10} alkyl, C_2-C_{10} alkenyl, C_2-C_{10} alkynyl, (4- to 10-membered heterocyclic) C_1-C_6 alkyl, (4- to 10-membered heterocyclic) C_2-C_6 alkenyl, (4- to 10-membered heterocyclic) C_2-C_6 alkynyl, (C_6-C_{10} aryl) C_1-C_6 alkyl, (C_6-C_{10} aryl) C_2-C_6 alkenyl, and (C_6-C_{10} aryl) C_2-C_6 alkynyl wherein said alkyl moieties of the foregoing groups are optionally substituted by halo or C_1-C_6 alkyl, and wherein said heterocyclic moieties are optionally substituted by 4- to 10-membered heterocyclic, (4- to 10-membered heterocyclic) C_1-C_6 alkyl, or (C_6-C_{10} aryl) C_1-C_6 alkyl, and further wherein the aryl and heterocyclic moieties of each of the foregoing groups and optional substituents is optionally substituted by 1 to 4 R^7

groups;

R^4 is selected from the group consisting of H, C_1-C_{10} alkyl, C_2-C_6 alkenyl, C_2-C_6 alkynyl, (C_1-C_6 alkoxy) C_1-C_6 alkyl, (C_1-C_6 alkylthio) C_1-C_6 alkyl, (C_5-C_8 cycloalkyl) C_2-C_5 alpha branched alkyl, C_3-C_8 cycloalkyl, C_5-C_8 cycloalkenyl, 3 to 6 membered O or S containing heterocyclic group, or phenyl, wherein each R^4 group may be substituted with from 1 to 3 substituents independently selected from the group consisting of hydroxy, halo, (C_6-C_{10} aryl) C_2-C_6 alkenyl, and C_1-C_4 alkyl;

R^5 and R^{10} are independently selected from the group consisting of H, C_1-C_6 alkyl, C_6-C_{10} aryl, 4- to 10-membered heterocyclic, (4- to 10-membered heterocyclic) C_1-C_6 alkyl and (C_6-C_{10} aryl) C_1-C_6 alkyl, wherein said aryl and heterocyclic groups are optionally substituted by 1 to 4 R^7 groups;

R^6 is H, -C(O)C_1-C_6 alkyl, benzyl, benzyloxycarbonyl, or (C_1-C_6 alkyl)$_3$ silyl;

R^7 is independently selected from the group consisting of halo, cyano, nitro, trifluoromethyl, trifluoromethoxy, azido, -C(O)R^8, -C(O)OR^8, -OC(O)R^8, -NR^8C(O)R^9, -C(O)NR^8R^9, -NR^8R^9, hydroxy, C_1-C_6 alkyl, C_2-C_6 alkenyl, C_2-C_6 alkynyl, C_6-C_{10} aryl, 4- to 10-membered heterocyclic, and C_1-C_6 alkoxy; and

each R^8 and R^9 is independently selected from the group consisting of H, C_1-C_6 alkyl, C_6-C_{10} aryl, and 4- to 10-membered heterocyclic.

A1 cont'd

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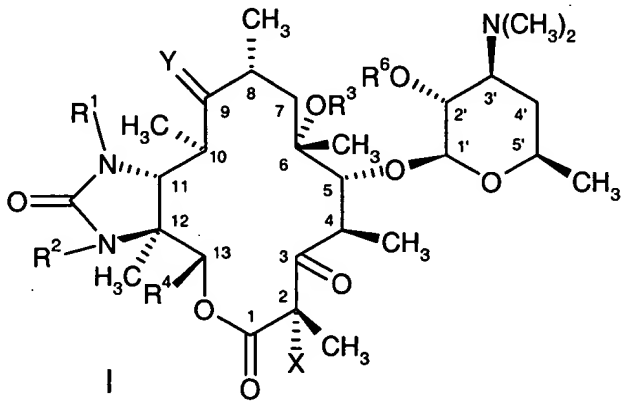
2(once amended). The compound of claim 0 wherein Y is =O or =NOR^5, R^1 is (4- to 10-membered heterocyclic) C_1-C_6 alkyl, wherein the heterocyclic is substituted by 4-

A1 concld

to 10-membered heterocyclic, R^2 is C_1-C_{10} alkyl or C_2-C_{10} alkenyl, R^3 is C_1-C_6 alkyl, R^4 is ethyl, R^5 is C_1-C_6 alkyl, and R^6 is H.

7(once amended). A method of preparing a compound of formula I



I

or a pharmaceutically acceptable salt, prodrug, or solvate thereof, wherein:

X is Cl, Br, I, or F;

A2 Y is =O, or =NOR^5; or Y means both -H and -OR^5; or both -H and -NR^{5}R^{10};

R^1, R^2, and R^3 are independently selected from the group consisting of H, C_1-C_{10} alkyl, C_2-C_{10} alkenyl, C_2-C_{10} alkynyl, (4- to 10-membered heterocyclic) C_1-C_6 alkyl, (4- to 10-membered heterocyclic) C_2-C_6 alkenyl, (4- to 10-membered heterocyclic) C_2-C_6 alkynyl, (C_6-C_{10} aryl) C_1-C_6 alkyl, (C_6-C_{10} aryl) C_2-C_6 alkenyl, and (C_6-C_{10} aryl) C_2-C_6 alkynyl wherein said alkyl moieties of the foregoing groups are optionally substituted by halo or C_1-C_6 alkyl, and wherein said heterocyclic moieties are optionally substituted by 4- to 10-membered heterocyclic, (4- to 10-membered heterocyclic) C_1-C_6 alkyl, or (C_6-C_{10} aryl) C_1-C_6 alkyl, and further wherein the aryl and heterocyclic moieties

of each of the foregoing groups and optional substituents is optionally substituted by 1 to 4 R^7 groups;

R^4 is selected from the group consisting of H, C_1-C_{10} alkyl, C_2-C_6 alkenyl, C_2-C_6 alkynyl, (C_1-C_6 alkoxy) C_1-C_6 alkyl, (C_1-C_6 alkylthio) C_1-C_6 alkyl, (C_5-C_8 cycloalkyl) C_2-C_5 alpha branched alkyl, C_3-C_8 cycloalkyl, C_5-C_8 cycloalkenyl, 3 to 6 membered O or S containing heterocyclic group, or phenyl, wherein each R^4 group may be substituted with from 1 to 3 substituents independently selected from the group consisting of hydroxy, halo, (C_6-C_{10} aryl) C_2-C_6 alkenyl, and C_1-C_4 alkyl;

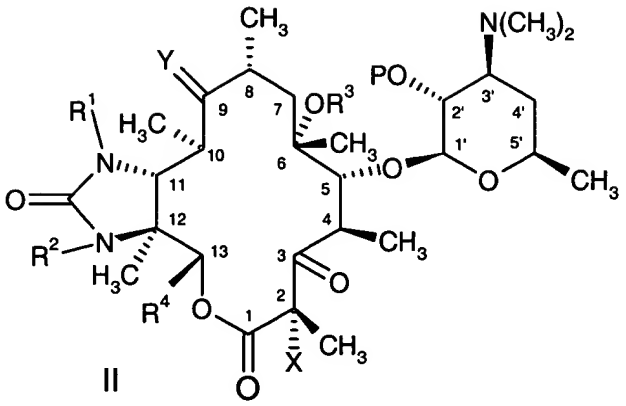
R^5 and R^{10} are independently selected from the group consisting of H, C_1-C_6 alkyl, C_6-C_{10} aryl, 4- to 10-membered heterocyclic, (4- to 10-membered heterocyclic) C_1-C_6 alkyl and (C_6-C_{10} aryl) C_1-C_6 alkyl, wherein said aryl and heterocyclic groups are optionally substituted by 1 to 4 R^7 groups;

R^6 is H, -C(O)C_1-C_6 alkyl, benzyl, benzyloxycarbonyl, or (C_1-C_6 alkyl)$_3$ silyl;

R^7 is independently selected from the group consisting of halo, cyano, nitro, trifluoromethyl, trifluoromethoxy, azido, -C(O)R^8, -C(O)OR^8, -OC(O)R^8, -NR^8C(O)R^9, -C(O)NR^8R^9, -NR^8R^9, hydroxy, C_1-C_6 alkyl, C_2-C_6 alkenyl, C_2-C_6 alkynyl, C_6-C_{10} aryl, 4- to 10-membered heterocyclic, and C_1-C_6 alkoxy; and

each R^8 and R^9 is independently selected from the group consisting of H, C_1-C_6 alkyl, C_6-C_{10} aryl, and 4- to 10-membered heterocyclic;

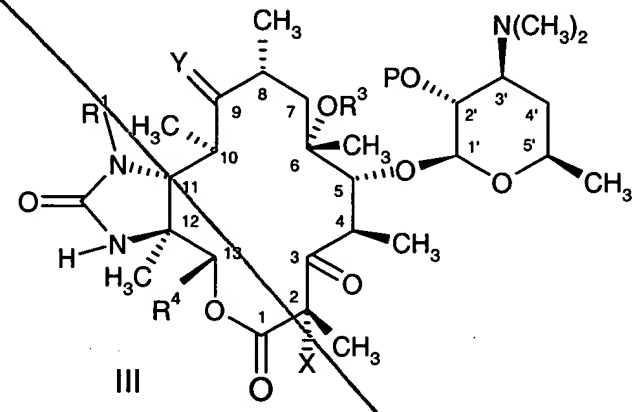
which comprises deprotecting a compound of the formula



II

wherein P is a protecting group.

8(once amended). The method of claim 0 further wherein the compound of formula II is prepared by treating a compound of the formula



III

with a strong base and a compound of formula R^2-L, where L is a leaving group, and wherein R^2 is selected from the group consisting of H, C_1-C_{10} alkyl, C_2-C_{10} alkenyl, C_2-C_{10} alkynyl, (4- to 10-membered heterocyclic) C_1-C_6 alkyl, (4- to 10-membered heterocyclic) C_2-C_6 alkenyl, (4- to 10-membered heterocyclic) C_2-C_6 alkynyl, (C_6-C_{10} aryl) C_1-C_6 alkyl, (C_6-C_{10} aryl) C_2-C_6 alkenyl, and (C_6-C_{10} aryl) C_2-C_6 alkynyl wherein said alkyl moieties of the foregoing groups are optionally substituted by halo or C_1-C_6

alkyl, and wherein said heterocyclic moieties are optionally substituted by 4- to 10-membered heterocyclic, (4- to 10-membered heterocyclic) C_1-C_6 alkyl, or (C_6-C_{10} aryl) C_1-C_6 alkyl, and further wherein the aryl and heterocyclic moieties of each of the foregoing groups and optional substituents is optionally substituted by 1 to 4 R^7 groups.

Remarks

Claims 1-10 are pending in the present application. The Examiner has rejected pending Claims 1-10 as being non-enabling under 35 USC 112, first paragraph. The Examiner has also rejected pending Claims 1-2 and 7-10 as being indefinite under 35 USC 112, second paragraph.

Claims 1, 2, 7 and 8 are amended to further clarify these claims. No new matter has been added by this amendment.

The Examiner's rejection of the pending Claims shall now be addressed in the order made by the Examiner.

Rejection of Claims 1-10 Under 35 USC 112, First Paragraph

Claims 1-10 are rejected under 35 USC §112, first paragraph, as not enabling one skilled in the art to make the invention. The Examiner states that the Applicant fails to teach how to make the claimed compounds. More specifically, the Examiner states that it is not clear how the starting compounds of formula II and formula III are prepared.

Contrary to the Examiner's statement, Specification page 9, line 26, to page 11, line 4, which includes Scheme 1, provides an enabling description of how the compounds of formula II and formula III are made. Specifically, the